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2024 APR 22 PM 2:31
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U.S. DISTRICT COURT

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**UNITED STATES DISTRICT COURT
DISTRICT OF UTAH**

ALLAN MILLER

Plaintiff,

vs.

HFN, INC., a Delaware Corporation, d/b/a as
NANOHEAL BY HFN INC.,
KALAARI CAPITAL ADVISORS
PRIVATE LIMITED, an Indian Company,
SRIDHAR SANTHANAM,
KUMAR SHIRALAGI, PAVAN VAISH,
and VANI KOLA

Defendants.

Case Number: 2:23-cv-00733-CMR

**EVIDENTIARY OBJECTION TO
DEFENDANTS KALAARI CAPITAL
ADVISORS PRIVATE LIMITED,
SRIDHAR SANTHANAM, PAVAN
VAISH, AND VANI KOLA'S REPLY IN
SUPPORT OF MOTION TO EXTEND
TIME**

SUMMARY

This Evidentiary Objection is filed pursuant to DUCivR 7-1(b)(3). The Defendants Kalaari Capital Advisors Private Limited (“Kalaari”), Sridhar Santhanam (“Santhanam”), Pavan Vaish (“Vaish”), and Vani Kola (“Kola”) (collectively, the “Unserved Defendants”) have filed a reply in support of their Motion to Extend Time (“Motion”) before this Court that introduces new evidence that is false, and is mainly motivated by an attempt to cast aspersions on the Plaintiff Allan Miller (“Plaintiff”).

The Unserved Defendants state that the Plaintiff “did not disclose” the fact that the International Defendants have not been served in India, and “created a false impression” that service had been effected in India, when the counsel for the Unserved Defendants (“Counsel”) proposed a stipulation to extend the response deadline. This is false. Since the Court is serving the Unserved Defendants, not the Plaintiff, the Plaintiff discovers information on the service only through Court filings. Counsel knows this (or should know it), and presumably has additional information directly from the Unserved Defendants.

The Unserved Defendants go on to state that the Plaintiff “rejected [the] reasonable approach” that the Unserved Defendants “will not contest service”. This is false. Dkt. 45 of this case makes it clear that the process server met with Vaish on March 1, 2024 and personally served the summons, but Vaish **refused to receive the summons**, more than **two weeks** before Counsel talked with the Plaintiff. The “reasonable offer” from Counsel was a course of action that was no longer available.

Date: April 22, 2024

By: /s/ Allan A. Miller
Allan Miller
Plaintiff (Pro se)

Certificate of Service

I certify that Plaintiff Allan Miller:

1. has registered for Email Filing and Electronic Notification pursuant to DUCivR 5-1(b)(1)(A);
2. has verified that the above document meets the requirements outlined in DUCivR 5-1(b)(1)(A);
3. has filed this document electronically through email to utdecf_clerk@utd.uscourts.gov; and
4. has served all non-ECF parties by an acceptable means pursuant to DUCivR 5-1(b)(1)(A)(ii)(g).

Accordingly, the document will be served upon all ECF parties through the Court's ECF system.

Date: April 22, 2024

Signature: /s/ Allan A. Miller

Printed name: Allan A. Miller